

Application of Robert Giljum et al., Ser. No. 09/540,977, Filed March 31, 2000
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REMARKS

By this amendment, no claims have been amended, cancelled, or added. Hence, Claims 7, 9, 10, 13, 15, 16, 19-20 are pending in the application.

I. SUMMARY OF THE REJECTIONS

Claims 7, 9, 10, 13, 15, 16, and 19-20 have been rejected under 35 U.S.C. § 103(a) as allegedly anticipated by U.S. Patent Number 6,233,600 issued to Salas et al. ("*Salas*") in view of U.S. Patent Application No. 2002/0133494A1, by Goedken ("*Goedken*").

The rejections are respectfully traversed.

II. THE PENDING CLAIMS ARE PATENTABLE OVER THE CITED ART

Even if the cited art were to be properly combined, each of the pending claims recites a combination of elements that are not disclosed, taught, or suggested by the cited art, either individually or in combination.

A. Claims 7 and 13

Claims 7 and 13 feature the express elements of:

- "storing, in a database, content items for a web site;
- storing, in said database, folder data representing one or more folders;
- storing, in said database, mapping data that indicates a folder-to-content item mapping;
- storing, in said database, permission data that identifies, for each of the one or more folders, one or more user permissions, wherein each of the one or more user permissions are assigned to one or more users, wherein each user permission indicates a level of access, granted to the assigned user, on the associated folder and any content items therein;
- in response to a request to perform a web site operation that involves a particular content item, performing the steps of:

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determining, based on the folder-to-content item mapping, the particular folder associated with the particular content item;
determining that a particular user permission applies to said particular content item based on the particular user permission being associated with the particular folder; and
responding to said request to perform the web site operation based on said particular user permission,
wherein the web site operation is an operation to create the particular content item within the particular folder, wherein said particular content item is not visible to said one or more users until said particular content item is approved by a folder owner of said particular folder" (emphasis added)

The Office Action acknowledges that *Salas* does not teach the above underlined element, and instead, cites *Goedken* to show this element.

Goedken does not teach the underlined element featured in Claims 7 and 13

Goedken is directed towards an approach for facilitating information exchange between an information requestor and one or more information custodians. The information requestor creates an electronic message, that includes a question, and sends the electronic message to an apparatus. The electronic message identifies, to the apparatus, a particular category, selected by the information requestor, which is associated with the question. The apparatus then sends a second electronic message to an appropriate information custodian based on the particular category. The information custodian creates a responsive electronic message that contains an answer to the question, and sends the responsive electronic message to the apparatus. The apparatus thereafter sends a third electronic message, which contains the answer to the question, to the information requestor. (Abstract, paragraphs 22-28).

The apparatus may maintain information about the categories of questions which the information requestor may select. A user may update such information by sending, to

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the apparatus, a category change message. Additionally, an information custodian may send, to the apparatus, a status change message to cause the apparatus to update information, maintained by the apparatus, in accordance with the status change message. For example, a status change message may seek to change the network address of a sending information custodian or to cause a particular information custodian to cease being responsible for answering questions in a particular category of questions. (See paragraph 72).

The portion of *Goedken* (paragraph 74) cited by the Office Action to show the above underlined element states, *in toto*:

In some applications it may be desirable to place controls on who can change the category/custodian database 104. Specifically, in a perfect world, all possible transmitters of status change messages and/or category change messages would have pure and good intentions. However, in the world as it presently exists, there are vandals and other persons of ill intentions who might try to interfere with the operation of the apparatus 10 by disrupting the database 104. To avoid such efforts, it might be desirable to adapt the category manager 106 to only accept status change messages and/or category change messages that have been screened. In such circumstances, the category manager 106 would reroute any unscreened status change and/or category change messages (possibly identified, for example, by a failure to include a predetermined digital signature) to an administrator for examination and approval or disapproval.

There are significant, fundamental differences between the approach of *Goedken* and the approach featured in the pending claims. The approach of *Goedken* is directed towards an email-based approach for answering questions, while the approach of the pending claims is directed towards a decentralized approach for implementing a web site. Further, it is unclear, and left unexplained by the Office Action, what, if anything, is analogous, in the approach of *Goedken*, to a folder as expressly featured in the pending claims.

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In view of the fundamental differences between the approach of *Goedken* and the approach featured in Claims 7 and 13, *Goedken* does not disclose, teach, or suggest the element of "wherein the web site operation is an operation to create the particular content item within the particular folder, wherein said particular content item is not visible to said one or more users until said particular content item is approved by a folder owner of said particular folder." In fact, the above cited portion of *Goedken* lacks any suggestion of: (a) a web site operation, (b) creating a content item within a particular folder, (c) a folder owner, and (d) a content item that is not visible to one or more users until the content item is approved by the folder owner in which the content item is associated.

Instead, the cited portion of *Goedken* merely states that a status change messages and/or a category change message may need to be approved by an administrator of the apparatus before the apparatus performs the status change message or the category change message. The Office Action characterizes this portion of *Goedken* as teaching "a database system where additions to the system are not visible until approved by an administrator. However, the Applicants respectfully submit that nothing in the cited portion of *Goedken* discusses whether a content item of a folder is visible or not visible to another user. Nothing in this teaching is analogous to a folder. Further, nothing in this teaching is analogous to a web site operation to create a content item with a particular folder. Thus, nothing in this teaching is analogous to a web site operation to create a content item in a particular folder, where the content item is not visible to users until the content item is approved by a folder owner of the folder.

As a result, *Goedken* fails to disclose, teach, or suggest the above underlined element featured in Claims 7 and 13. Consequently, assuming, *arguendo*, that *Salas* and

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Goedken were to be properly combined, the resulting combination would not disclose, teach, or suggest the combination of elements recited in Claims 7 and 13. However, as explained below, *Salas* and *Goedken* have not been properly combined.

Combining *Salas* with *Goedken* Changes a Principle of Operation of *Salas*

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). See also MPEP § 2143.02

In the present case, a fundamental principle of operation under which the approach of *Salas* operates is that users may freely work and share files together in a collaborative work environment. *Salas* describes an eRoom as a set of connected HTML pages displayed to a user that display project-related files, data, and discussion lists. Members of a team may congregate, share and work files, discuss ideas, stay informed and otherwise collaborate on common projects using an eRoom (Col. 5, lines 6-10).

On the other hand, the feature of *Goedken*, which is suggested by the Office Action to be combined with the approach of *Salas*, is designed to combat the "vandals and other persons of ill intentions who might try to interfere with the operation of the apparatus 10 by disrupting the database 104" in "the world as it presently exists." Presumably to protect against those who do not possess "pure and good intentions," *Goedken* teaches that specific changes to the database are not performed until approved by an administrator.

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If the suggestion of *Goedken*, namely the prevention of effecting change to a database until an administrator approves such change, were to be implemented in the approach of *Salas*, then the collaborative environment of *Salas* would be eviscerated. Specifically, the ability of team members to use the eRooms of *Salas* to freely discuss ideas, stay informed, and collaborate on common projects would be stifled because they would be at the mercy of the administrator to approve any changes made to the database. As a result, a fundamental principle of operation of *Salas* would be changed.

Consequently, assuming, *arguendo*, that *Salas* and *Goedken* were to be properly combined, the resulting combination would fail to disclose, teach, or suggest at least one element of Claims 7 and 13. Moreover, it is respectfully submitted that *Salas* and *Goedken* have not been properly combined because a principle of operation of *Salas* would be changed upon combining *Salas* with *Goedken*. As a result, Claims 7 and 13 are patentable over the cited art and are each in condition for allowance.

B. Claims 9, 10, 15, 16, and 19-20

Claims 9, 10, 15, 16, and 19-20 are dependent claims, each of which depends (directly or indirectly) on one of Claims 7 and 13. Each of Claims 9, 10, 15, 16, and 19-20 is therefore allowable for the reasons given above for the claim on which it depends. In addition, each of Claims 9, 10, 15, 16, and 19-20 introduce one or more additional limitations that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time, although the Applicants

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reserve the right to further point out the differences between the cited art and the novel
features recited in the dependent claims.

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III. CONCLUSION


For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any fee shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

On June 22, 2005

By


Angelica Maloney